

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
PUBLIC HEARING**

APRIL 1, 2002

6:00 P.M.

(Proposed Map Amendment Z-02-01)

Pursuant to notice duly advertised and posted, the Brunswick County Board of Commissioners conducted a Public Hearing on the above date at 6:00 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
 Commissioner May W. Moore, Vice Chairman
 Commissioner David R. Sandifer
 Commissioner Tom B. Rabon, Sr.
 Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
 Steve Stone, Assistant County Manager
 Huey Marshall, County Attorney
 Mark Seagle, Assistant County Attorney
 Debby Gore, Clerk to the Board
 Margie Stephenson, Deputy Clerk
 Lithia E. Brooks, Director of Fiscal Operations

I. CALL TO ORDER

Chairman Warren called the Public Hearing to order at 6:00 p.m., and announced that the purpose of the Public Hearing was to receive public comments concerning the proposed Map Amendment Z-02-01.

Mr. Leslie Bell, Planning Director, gave a Power Point presentation and explained that Item 1 is a map amendment initiated by the property owner to change from R-6000 to Heavy Manufacturing.

II. PUBLIC COMMENTS

Chairman Warren asked if any members of the audience wished to address the Board on the proposed amendment.

There were no comments from the audience.

III. ADJOURNMENT

Commissioner Sandifer moved to adjourn the Public Hearing at 6:05 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
PUBLIC HEARING
APRIL 1, 2002
6:15 P.M.
(Public Housing Agency Annual Plan)**

Pursuant to notice duly advertised and posted, the Brunswick County Board of Commissioners conducted a Public Hearing on the above date at 6:15 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
 Commissioner May W. Moore, Vice Chairman
 Commissioner David R. Sandifer
 Commissioner Tom B. Rabon, Sr.
 Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
 Steve Stone, Assistant County Manager
 Huey Marshall, County Attorney
 Mark Seagle, Assistant County Attorney
 Debby Gore, Clerk to the Board
 Margie Stephenson, Deputy Clerk
 Lithia E. Brooks, Director of Fiscal Operations

I. CALL TO ORDER

Chairman Warren called the Public Hearing to order at 6:15 p.m., and announced that the purpose of the Public Hearing was to receive public comments concerning the Annual Public Housing Agency Plan.

Ms. Vonnie Fullwood, Public Housing Director, explained that HUD requires Section 8 agencies to submit an annual plan and hold a public hearing for comments from the participants.

II. PUBLIC COMMENTS

Chairman Warren asked if any members of the audience wished to address the Board on the proposed amendment.

There were no comments from the audience.

III. ADJOURNMENT

Commissioner Sandifer moved to adjourn the Public Hearing at 6:19 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
PUBLIC HEARING
APRIL 1, 2002
6:20 P.M.
(FY 02-03 Rural Assistance Operating Program)**

Pursuant to notice duly advertised and posted, the Brunswick County Board of Commissioners conducted a Public Hearing on the above date at 6:20 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
Commissioner May W. Moore, Vice Chairman
Commissioner David R. Sandifer
Commissioner Tom B. Rabon, Sr.
Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
Steve Stone, Assistant County Manager
Huey Marshall, County Attorney
Mark Seagle, Assistant County Attorney
Debby Gore, Clerk to the Board
Margie Stephenson, Deputy Clerk
Lithia E. Brooks, Director of Fiscal Operations

I. CALL TO ORDER

Chairman Warren called the Public Hearing to order at 6:20 p.m., and announced that the purpose of the Public Hearing was to receive public comments concerning the FY 02-03 Rural Assistance Operating Program.

Yvonne Hatcher, BITS Director, explained that the Rural Operating Assistance Program is State funded and provides transportation assistance to the Elderly and Disabled Programs and Work First participants.

II. PUBLIC COMMENTS

Chairman Warren asked if any members of the audience wished to address the Board on the proposed amendment.

There were no comments from the audience.

III. ADJOURNMENT

Commissioner Sue moved to adjourn the Public Hearing at 6:25 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
PUBLIC HEARING
APRIL 1, 2002
6:25 P.M.**

(Brunswick County Fire Protection & Prevention Ordinance)

Pursuant to notice duly advertised and posted, the Brunswick County Board of Commissioners conducted a Public Hearing on the above date at 6:25 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
 Commissioner May W. Moore, Vice Chairman
 Commissioner David R. Sandifer
 Commissioner Tom B. Rabon, Sr.
 Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
 Steve Stone, Assistant County Manager
 Huey Marshall, County Attorney
 Mark Seagle, Assistant County Attorney
 Debby Gore, Clerk to the Board
 Margie Stephenson, Deputy Clerk
 Lithia E. Brooks, Director of Fiscal Operations

I. CALL TO ORDER

Chairman Warren called the Public Hearing to order at 6:28 p.m., and announced that the purpose of the Public Hearing was to receive public comments concerning the Brunswick County Fire Protection & Prevention Ordinance.

Mr. Randy Thompson, Emergency Management Director, handed out copies of the revised Fire Protection & Prevention Ordinance and explained that this ordinance addresses permitting issues, inspections, civil penalties and open burning. **(Exhibit Book 29, Attachment A1)**

II. PUBLIC COMMENTS

Chairman Warren asked if any members of the audience wished to address the Board on the proposed amendment.

Mr. Gary Halberstadt, Brunswick County Alliance of Property Owners Association, spoke in favor of the ordinance and expressed concerns regarding the permitting system for construction operation of potentially hazardous businesses, minimum safety standards, local fire chief awareness, citizens and business owners awareness of the ordinance and fees.

The Emergency Management Director explained that all areas of concern are thoroughly covered in the ordinance and covered open burning permitting and exemptions. Mr. Thompson also added that the revised ordinance exempts churches from open flame permitting.

Commissioner Sandifer suggested some guidelines to notify local Fire Departments of open burning in their area for awareness purposes.

III. ADJOURNMENT

Commissioner Sue moved to adjourn the Public Hearing at 6:42 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
APRIL 1, 2002
6:30 P.M.**

The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:30 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
Commissioner May Moore, Vice-Chairman
Commissioner David Sandifer
Commissioner Tom B. Rabon, Sr.
Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
Steve Stone, Assistant County Manager
Mark Seagle, Assistant County Attorney
Debby Gore, Clerk to the Board
Margie Stephenson, Deputy Clerk
Lithia E. Brooks, Fiscal Operations Director

ABSENT: Huey Marshall, County Attorney

I. CALL TO ORDER

Chairman Warren called the meeting to order at 6:30 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Sue gave the Invocation and led the Pledge of Allegiance.

III. ADJUSTMENTS/APPROVAL OF AGENDA

Chairman Warren asked if there were any adjustments to the agenda. The following adjustments were made:

1. Chairman Warren requested to delete District 1 and add District 2 to the Nursing Home Advisory Committee appointment, VIII-2.
2. Chairman Warren requested to delete the Aging Advisory appointment under Board Appointments VIII-3.
3. Vice-Chairman Moore requested to add the Waste Industries Contract as item #14 under Administrative Report.

Commissioner Sandifer moved to approve the agenda with the adjustments included. The vote of approval was unanimous.

IV. PUBLIC COMMENTS

Chairman Warren asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda. There were no comments from the audience.

V. APPROVAL OF CONSENT AGENDA

Commissioner Sandifer moved to approve the Consent Agenda. The vote of approval was unanimous. The following items were approved:

A. **Minutes**

Public Hearing Minutes of March 18, 2002
Regular Meeting Minutes of March 18, 2002
Board Retreat Minutes of February 26, 2002

B. **Tax Matters**

1) Tax Collector's Report for February 2002 (**Exhibit Book, Attachment #**)

C. **Finance – FY 2001-2002 (Exhibit Book , Attachment #)**

We are in receipt of the following FY 2001-2002 budget amendment requests:

1) Juvenile Crime Prevention Council (JCPC) Grant Funds

\$5,000 Decrease	State Revenue	
Southeast Center		\$ 646 decrease
Providence Home		680 decrease
Family First		1,105 decrease
Communities In School Teen Court		306 decrease
JCPC Administration		<u>2,263</u> decrease
Total		\$5,000 decrease

This amendment represents the reduction of State revenue due to budgetary restraints for the agencies listed above. County funds are not involved.

2) Health Department - Immunization Program

\$7,936 Increase	State Revenue	\$1,888
	Title XIX Funds	1,987
	Clinic Fees	<u>4,061</u>
	Total	\$7,936

This amendment represents revenue received over the current appropriation. The Health department is requesting these funds be used to procure additional drugs and medical supplies for the immunization program. County funds are not involved.

3) Health Department - Rural Obstetric Care Incentive

\$15,000 Decrease State Revenue

This amendment represents a reduction in State revenue due to budgetary restraints. Originally these funds were budgeted to assist the physicians to offset a portion of his/her liability insurance expense. County funds are not involved.

4) Health Department - Food and Lodging Program

\$5,993 Increase State Revenue

This amendment represents an increase in State funding due to the Health Department - Environmental Health section, meeting its goal of 100% inspection requirement. County funds are not involved.

5) Library

\$5,179 Decrease State Aid

This amendment represents a reduction in State revenue due to budgetary restraints. This Library has requested a reduction the audio, maps & booklets and subscription expense line items. County funds are not involved.

6) Social Services - Crisis Intervention

\$11,575 Increase State Revenue

This amendment represents an increase in State funding for the crisis intervention program. County funds are not involved.

We request the Board's concurrence to amend the FY 2001-2002 Budget Ordinance accordingly.

VI. PRESENTATIONS

1) Shallotte Point Volunteer Fire Department (Vernon Ward) . **(Exhibit Book , Attachment #)**

To discuss issues associated with annexation and Volunteer Fire Departments.

Mr. Vernon Ward voiced concerns with House Bill 651 and its effect on local Fire Departments.

VIII. ADMINISTRATIVE REPORT

1. Emergency Management–Fire Protection and Prevention Ordinance–(Randy Thompson)

Staff recommends that the Board of Commissioners consider approving second reading and adoption of the proposed Brunswick County Fire Protection and Prevention Ordinance.

Randy Thompson, Emergency Management Director, explained the Fire Protection and Prevention Ordinance as revised March 22, 2002 with the revision of the clause exempting churches from operational permits.

Commissioner Moore moved to adopt the revised Brunswick County Fire Protection and Prevention Ordinance. The vote of approval was unanimous.

2. Planning – Map Amendment Z-02-04 – (Leslie Bell)

Staff recommends that the Board of Commissioners consider approving first reading and set a Public Hearing for May 6, 2002 at 5:45 p.m. for Map Amendment Z-02-04.

Commissioner Sue moved to approve first reading of Map Amendment Z-02-04 and set a Public Hearing for May 6, 2002 at 5:45 p.m. The vote of approval was unanimous.

3. Planning – Text Amendment Z-02-03 – (Leslie Bell)

Staff recommends that the Board of Commissioners consider approving first reading and set a Public Hearing for May 6, 2002 at 6:15 p.m. for Text Amendment Z-02-03.

Commissioner Sue moved to approve first reading of Text Amendment Z-02-03 and set a Public Hearing for May 6, 2002 at 6:15 p.m. The vote of approval was unanimous.

4. Planning – Map Amendment Z-02-01 – (Marty Lawing)

Staff recommends that the Board of Commissioners consider approving second reading and adoption of Map Amendment Z-02-01.

Commissioner Sue moved to approve second reading and adoption of Map Amendment Z-02-01. The vote of approval was unanimous.

5. Planning – Map Amendment Z-02-02 – (Marty Lawing)

Staff recommends that the Board of Commissioners consider approving first reading and set a Public Hearing for May 6, 2002 at 6:00 p.m. for Map Amendment Z-02-02.

Commissioner Sandifer moved to approve first reading of Map Amendment Z-02-02 and set a Public Hearing for May 6, 2002 at 6:00 p.m. The vote of approval was unanimous.

6. Planning – Map Review Officer – (Leslie Bell)

Staff recommends that the Board of Commissioners consider appointing Matthew Stuart, Planner II, as an additional Map Review Officer for Brunswick County.

Commissioner Sandifer moved to approve the appointment of Matthew Stuart as an additional Map Review Officer for Brunswick County. The vote of approval was unanimous.

7. Finance – Independent Audit Contract – (Lithia Brooks)

Staff recommends that the Board of Commissioners consider approving the FY 2001-2002 Independent Audit Contract with Dixon Odom PLLC. Lithia Brooks, Fiscal Operations Director, explained the 3.4% increase over last fiscal year.

Commissioner Sue moved to approve the FY 2001-2002 Independent Audit Contract with Dixon Odom PLLC. The vote of approval was unanimous.

8. CJPP – Memorandum of Understanding – (Marty Lawing)

Staff recommends that the Board of Commissioners consider approving a Memorandum of Understanding with CJPP as presented.

Commissioner Rabon moved to approve the CJPP Memorandum of Understanding. The vote of approval was unanimous.

9. St. James – Wastewater Agreement – (Steve Stone)

Staff recommends that the Board of Commissioners consider approving the Wastewater Agreement with the Town of St. James. Steve Stone, Assistant County Manager, explained the draft agreement.

Vice-Chairman Moore moved to approve the St. James Wastewater Agreement contingent upon legal descriptions and formal application by various developers and property owners. The vote of approval was unanimous.

10. Sheriff's Department–Approval of Grant Award and Budget Amendment–(Tony Cummings)

Staff recommends that the Board of Commissioners Consider approving a Grant Award to purchase replacement protective body armor and associated Budget Amendment.

Commissioner Sue moved to approve matching funds for the Grant Award and the appropriate budget amendment with funds to come from Regular Contingency. The vote of approval was unanimous.

11. Sheriff's Department--Approval of Grant Award and Budget Amendment--(*Tony Cummings*)

Staff recommends that the Board of Commissioners consider approving a Grant Award to purchase Stop Sticks and associated Budget Amendment.

Vice-Chairman Moore moved to approve matching funds for the Grant Award with the appropriate budget amendment to purchase of Stop Sticks for the Sheriff's Department. The vote of approval was unanimous.

12. Bond Counsel – (*Marty Lawing*)

Staff recommends that the Board of Commissioners consider authorizing a Request for Proposals for Bond Counsel for the East West Regional Wastewater Project.

Commissioner Sandifer moved to authorize Staff to send out Request for Proposals for Bond Counsel for the East West Regional Wastewater Project. The vote of approval was unanimous.

13. Brunswick Transit System – ROAP Funds – (*Steve Stone*)

Staff recommends that the Board of Commissioners consider approving the FY 2002-03 Rural Operating Assistance Program allocation as presented.

Commissioner Rabon moved to approve the FY 2002-2003 Rural Operating Assistance Program allocation. The vote of approval was unanimous.

14. Waste Contract (added under Adjustments to the Agenda)

Commissioner Sandifer explained that in negotiations with Waste Industries, an proposal was made to lock in the cost of the Solid Waste contract for two years if the contract is extended for two years. Municipal Interlocal agreements would be affected. Commissioner Sandifer recommended approval contingent upon approval from the municipalities involved in the Solid Waste Contract. The County Manager was instructed to send copies of the proposal with a cover letter asking for a formal response.

Commissioner Sue moved to approve the proposed amendment to the Solid Waste Contract contingent upon approval from the interlocal partners. The vote of approval was unanimous.

VIII. BOARD APPOINTMENTS

1. Zoning Board of Adjustments (1 appointment)

Vice-Chairman Moore nominated Bob Helfter. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandfier moved to approve the appointment of Bob Helfter. The vote of approval was unanimous. Mr. Helfter will fill the unexpired term of Rupert Riley that will expire November 1,2002.

2) Nursing Home and Adult Care Community Advisory Committee

(District 1 tabled under Adjustments to the Agenda) District 2 (added under Adjustments to the Agenda)

Commissioner Sandifer nominated John Gray. Commissioner Sue moved to close the nominations. The vote of approval was unanimous. Commissioner Sue moved to approve the appointment of John Gray.

Mr. Gray will fill the unexpired term of Hubert Reaves who resigned due to conflict of interest. That term will expire March 1, 2003.

3) **Aging Advisory** (1 appointment, District 1) (**tabled under Adjustments to the Agenda**)

4) **BITS Board** (1 appointment)

Commissioner Sue appointed Helen Bunch. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the appointment of Helen Bunch. Ms. Bunch will serve another two-year term that will expire April 1, 2004.

IX. COUNTY ATTORNEY'S REPORT

1) **Closed Session**

7:22 p.m. Commissioner Sandifer moved to enter Closed Session pursuant to G.S. 143.318.11 (a) (3) & (6). The vote of approval was unanimous.

8:10 p.m. Reconvened

Chairman Warren called the meeting back to order and announced that no action was taken in

Closed Session.

X. OTHER BUSINESS/INFORMAL DISCUSSION

Commissioner Sue moved to appoint Danny Ray Culler as interim Tax Collector at a pay grade of 72 6A. The vote of approval was unanimous.

XI. ADJOURNMENT

Commissioner Sandifer moved to adjourn the Regular Meeting at 8:12 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board

